

REMARKS

Claims 1-144 are in the application.

Claims 127-140 and 142 are amended.

Applicants herewith elect for prosecution **Group I**, claims 1-38, 58-95, and 144, now including claims 53-57 and 127-143, with traverse to prosecute together therewith Groups II (claims 39-52), III (claims 96-109), and IV (claims 110-126).

Claims 53-57 are apparently not subject to restriction, and are therefore presumed to be generic and a part of the elected group. In the event that the restriction of these claims was intended, applicants respectfully traverse that proposed restriction, and note that the elements of claim 53 correspond in general to claim 1; that is, both have information held in "trust", and apply access control rules to limit access to the information in trust.

Claims 39-52 are also believed to fall within the elected group of claims, in that claim 39 places the information in "trust", and authorizes access to the information based on an access-limiting rule. In the case of claim 1, the rules are enforced by the trustee, and in the case of claim 39, the access rules are trust-defined. It is noted that the Examiner's description of the difference in classification between claims 1 and 39 is quite artificial. Claim 1 receives a record and provides a trustee having legal control over the record. Claim 39 places information under control of a trustee. Any classification system which purports to distinguish these as separate intellectual acts and thereby separately patentable is arbitrary and capricious, and erroneous.

Claim 96 defines a system; as with claim 39, the elements are similar in function to claim 1. That is, both claims 1 and 96 encompass information within a legal trust, and

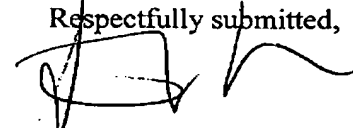
both employ automated means for granting or limiting access to the information. Claim 96 does NOT claim the "formation of a legal entity", but rather the product of that formation, and thus the examiner's description of the classification is incorrect.

Claims 110-126 relate to a "virtual trust". While certain language of these claims differs from the prior sets, it is respectfully submitted that the required search is similar or identical, and therefore not burdensome, and that the additional examination burden beyond the search is both reasonable and compensated by the additional claims fees already paid by applicant. Reconsideration of the restriction requirement is respectfully solicited.

Claims 127, 140 and 142 are amended to depend from claim 1, and are thus classified within the elected group of claims.

In conclusion, applicants believe that the restriction requirement between Groups I, II, and III is erroneous and should be withdrawn. Further, applicants respectfully request that the Examiner, in her discretion, withdraw the restriction between Group I and Group IV. Applicant does not contest the restriction of Groups III (claims 142-143 only), V and VI, and have effectively withdrawn these claims by amendment.

Respectfully submitted,



Steven M. Hoffberg
Reg. No. 33,511

MILDE & HOFFBERG, LLP
10 Bank Street - Suite 460
White Plains, NY 10606
(914) 949-3100